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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,046	04/26/2001	William Eric Hamilton	7896.14	2695
25314	7590	04/28/2006	EXAMINER	
GUNSTER, YOAKLEY & STEWART, PA BROWARD FINANCIAL CENTRE, SUITE 1400 500 EAST BROWARD BLVD FT LAUDERDALE, FL 33394			YANG, RYAN R	
		ART UNIT	PAPER NUMBER	
			2628	

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/844,046	HAMILTON ET AL.	
	<b>Examiner</b> Ryan R. Yang	<b>Art Unit</b> 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 02 March 2006.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 2-7,22 and 27-29 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 2-7,22 and 27-29 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. This action is responsive to communications: Amendment, filed on 3/2/2006. This action is final.
2. Claims 2-7, 22 and 27-29 are pending in the case, with claim 29 being independent. In the Amendment, filed on 3/2/2006, claims 2, 6, 7, 22, 27 and 28 were amended, claims 8, 9, 20 and 23-26 were canceled, and claim 29 was added.
3. The present title of the application is "Method for prolonging CRT screen life by reduced phosphor burning" as originally filed.

### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 2-7, 22 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki et al. (4,999,709) and further in view of Toffolo et al. (6,628,247).
6. As per claim independent claim 29, Yamazaki et al., hereinafter Yamazaki, discloses a method of displaying video comprising the steps of:
  - providing a live video images from a camera (Figure 2, CCD 1 provides live video image);
  - overlaying textual information on top of the stream of live video image in a manner to minimize blockage of the stream of live video image by the overlaid textual information (Figure 2, item 5,6, and 7 are superposition circuits overlay title image from Titler 12, and "original graphics data disposed at the bottom or top of the image plane

when written into the memory will occupy the bottom or top of the same image when read", column 2, line 1-4, by placing the title image at the bottom or top portion, it minimizes the blockage);

displaying the stream of live video images and overlaid textual information on the screen of a display (Figure 2, View Finder 2); and

automatically moving the overlaid textual information periodically ("By shifting the addresses periodically, such as by a predetermined amount every m fields or frames, the displayed graphic title image information appears to scroll horizontally or vertically across the video picture", column 3, line 56-61).

Yamazaki discloses a method of displaying title image. It is noted that Yamazaki does not explicitly disclose by moving the overlaid textual image "without altering the overlaid textual information so that the overlaid textual information is continuously available on the screen, without moving the stream of live video images, without moving the overlaid textual information of the screen, and with minimum blockage of live video images by the overlaid textual information ". However, this is known in the art as taught by Toffolo et al., hereinafter Toffolo. Toffolo discloses a method of reducing latent image in which selected portion of the display is shifted without moving out of the display (Figure 1, item 30 and column 2, line 45-58).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Toffolo into Yamazaki because Yamazaki discloses a method of displaying text without blocking the video image and Toffolo discloses the text image is shifted periodically in order to prevent it from screen burn-in.

7. Regarding dependent claim 22, Yamazaki and Toffolo demonstrated all the elements as disclosed in the rejected claim 29, and further discloses said moving step comprises periodically moving the overlaid textual information by a predefined amount ("The total number of pixels by which image 30 is ultimately displaced from first position 32a will depend upon the number of pixels in display 22 ... ", column 2, line 59-67).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Toffolo into Yamazaki because Yamazaki discloses a method of displaying text without blocking the video image and Toffolo discloses the text image is shifted periodically in order to prevent it from screen burn-in.

8. Regarding dependent claim 27, Yamazaki and Toffolo demonstrated all the elements as disclosed in the rejected claim 29, supra, and Yamazaki further discloses the video image has a top and bottom and the textual information is overlaid near the bottom of the video image ("original graphics data disposed at the bottom or top of the image plane when written into the memory will occupy the bottom or top of the same image when read", column 2, line 1-4; as for the video image, since it occupied the whole screen are, it has a top and a bottom portion).

9. As per Claims 2-5, Yamazaki and Toffolo demonstrated all the elements as disclosed in the rejected claim 22.

As for providing for display by moving the overlaid texture information, since Yamazaki discloses the amount of shift can be preset by the user, it would have been obvious to one of ordinary skill in the art that a user can set it from the minimum

amount to the maximum amount, including one pixel, a random amount or a character length, in order to create a scrolling effect.

10. Regarding dependent claim 6, Yamazaki and Toffolo demonstrated all the elements as disclosed in the rejected claim 29.

As for "the textual information is moved at least once per hour", Yamazaki discloses "the shift register is shifted at a rate determined by (or synchronized with) the clock signals supplied to clock input terminal 63", column 11, line 38-40. It would have been obvious to one of ordinary skill in the art to be able to shift the title image at a desired rate, either once per hour or once per day, in order to produce a scrolling effect of the title image.

11. Claim 7 is similar in scope with claim 6 and therefore is rejected under the same rational.

12. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamazaki in view of Toffolo as applied to claim 29 above, and further in view of Birks et al. (6,373,530).

As per Claim 28, Yamazaki demonstrated all the elements as disclosed in the rejected claim 29.

Yamazaki and Toffolo discloses a method of displaying video image. It is noted that Yamazaki and Toffolo do not explicitly disclose the texture information is overlaid near one of the two bottom corners of the CRT screen, however, this is known in the art as taught by Birks et al., hereinafter Birks. Birks discloses a method of inserting logo in which the logo is placed at the bottom right corner of the display (column 3, line 15-16).

Thus, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Birks into Yamazaki and Toffolo because Yamazaki and Toffolo disclose a method of displaying image and Birks further discloses the logo image can be placed at the bottom corner of the screen in order to avoid obstruct the viewing of the main image.

***Response to Arguments***

13. Applicant's arguments with respect to claim 29 have been considered but are moot in view of the new ground(s) of rejection.

As for textual image with minimum blockage of the live video, since the claim limitation does not specify what constitute minimum blockage and since Yamazaki teaches the textual image could occupy top or bottom portion of the display, Yamazaki meets the claim limitation.

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Inquiries***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan R. Yang whose telephone number is (571) 272-7666. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ryan Yang  
Primary Examiner  
April 25, 2006